



# The Appeals Process

Social Security wants to be sure that every decision made about your disability or Supplemental Security Income (SSI) application is correct. We carefully consider all the information in your case before we make any decisions that affect your eligibility or your benefit amount.

When we make a decision on your claim, we will send you a letter explaining our decision. If you do not agree with our decision, you can appeal — that is, ask us to look at your case again.

When you ask for an appeal, we will look at the entire decision, even those parts that were in your favor. If our decision was wrong, we will change it.

## When and how can I appeal?

If you were recently denied Social Security benefits for medical or non-medical reasons, you may request an appeal. Your request must be in writing and received within 60 days of the date you receive the letter containing our decision.

You can call us and ask for the appeal form (Form SSA-561). The fastest and easiest way to file an appeal of your decision is by visiting [www.socialsecurity.gov/disability/appeal](http://www.socialsecurity.gov/disability/appeal). You can file online and provide documents electronically to support your appeal. You can file an appeal online even if you live outside of the United States.

## How many appeal levels are there?

Generally, there are four levels of appeal. They are:

- Reconsideration;
- Hearing by an administrative law judge;
- Review by the Appeals Council; and
- Federal Court review.

When we send you a letter about a decision on your application, we will tell you how to appeal the decision.

### Reconsideration

A reconsideration is a complete review of your claim by someone who did not take part in the first decision. We will look at all the evidence submitted when the original decision was made, plus any new evidence.

Most reconsiderations involve a review of your files without the need for you to be present. But when you appeal a decision that you are no longer eligible for disability benefits because your medical condition has improved, you can meet with a Social Security representative and explain why you believe you still have a disability.

### Hearing

If you disagree with the reconsideration decision, you may ask for a hearing. The hearing will be conducted by an administrative law judge who had no part in the original decision or the reconsideration of your case. The hearing is usually held within 75 miles of your home. The administrative law judge will notify you of the time and place of the hearing.

Before the hearing, we may ask you to give us more evidence and to clarify information about your claim. You may look at the information in your file and give new information.

At the hearing, the administrative law judge will question you and any witnesses you bring. Other witnesses, such as medical or vocational experts, also may give us information at the hearing. You or your representative may question the witnesses.

In certain situations, we may hold your hearing by a video conference rather than in person. We will let you know ahead of time if this is the case. With video hearings, we can make the hearing more convenient for you. Often an appearance by video hearing can be scheduled faster than an in-person appearance. Also, a video hearing location may be closer to your home. That might make it easier for you to have witnesses or other people accompany you.

It is usually to your advantage to attend the hearing (in person or video conference). You and your representative, if you have one, should come to the hearing and explain your case.

If you are unable to attend a hearing or do not wish to do so, you must tell us why in writing as soon as you can. Unless the administrative law judge believes your presence is necessary to decide your case and requires you to attend, you will not have to go. Or we may be able to make other arrangements for you, such as changing the time or place of your hearing. You have to have a good reason for us to make other arrangements.